

Appl. No. 09/926,763
Amtd. dated February 1, 2006
Reply to Office action of August 1, 2005

REMARKS

Applicant thanks the Examiner for the instructive telephone interviews had on December 20, 2005, and February 1, 2006. As provided in the Examiner's Interview Summary of December 23, 2005, the main independent claims 1, 14, and 39 were discussed in relation to the applied references Yu and Maier. The Examiner was most helpful in explaining the difficulties with the invention as currently claimed, particularly having regard to the relativity of certain limitations involving the user.

During the follow-up telephone interview of February 1, 2006, applicant proposed to introduce into the main independent claims to the chair, claims 14 and 39, the limitations that i) the front-to-back extent of the second support surface is provided in lengths from about 12.4 cm for a child to about 21 cm for an adult (found on page 11, lines 24-27 of the specification); and ii) that the first support surface is disposed at a height of about 35 cm for a child to about 65 cm for an adult (found on page 12, lines 24-26 of the specification). It is submitted that the proposed limitations to the front-to-back extent of the second support surface coupled with the height of the first support surface in the same proportions for a child to an adult, allows for the "well distributed but independent support for the sit bones and the thighs of the person, yet allows the feet to squarely rest on the floor to provide some support" (page 12, lines 30-33).

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The Examiner has kindly agreed that these are significant limitations but reserves judgment as they might raise issues that would warrant an advisory action. In response, applicant herewith, submits the proposed amendments to claims 14 and 39, with an RCE request to avoid the advisory action. In addition applicant cancels, without prejudice or disclaimer, claims 1 to 13. Applicant invites the Examiner, should there be any further concerns with the claims as amended, to call the undersigned at (416) 957-1697 to discuss the case and avoid the expense and time of issuing a further communication.

Otherwise, applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,
CROTEAU, ET AL.

By _____


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